1. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.194/02
The State of Rajasthan & Anr. Vs. Ramesh Kumar Harsh.

2. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.116/01 DR(J)
The State of Rajasthan & Anr. Vs. Ratan Puri Goswami.

3. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.108/01
The State of Rajasthan & Anr. Vs. Panna Lal.

4. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.117/01
The State of Rajasthan & Anr. Vs. Soma Ramors

5. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.118/01
The State of Rajasthan & Anr. Vs. Raja Ram.

6. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.119/01
The State of Rajasthan & Anr. Vs. Rameshwar Lal.

7. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.144/01
The State of Rajasthan & Anr. Vs. Chhotu Ram.

8. D.B. CIVIL SPECIAL APPEAL (WRIT) NO.273/01
The State of Rajasthan & Anr. Vs. Shyam Sundra Chhangani

Date : 27.4.2007

PRESENT

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE BHANWAROO KHAN

Mr. Shyam Toshniwal for Mr. N.M. Lodha, A.A.G.
Mr. I.R. Choudhary for the appellant.
Mr. Mukesh Rajpurohit for the respondents.

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Heard learned counsel for the appellant.

The common ground between the parties that these appeals raise an identical issue as was raised in D.B. Special Appeal No.828/2001 which was decided by Division Bench of this Court on 25.11.2002 sustaining the order of learned Single Judge,

the appeal was dismissed. All the respondent-petitioners are similarly situated persons and the following order was passed by the Division Bench:-

> "In the totality of the circumstances, we are of the opinion that the discretion exercised by the learned Single Judge in exercise of its extra ordinary jurisdiction to grant relief to the petitioner in the facts and circumstances is just and proper and is in furtherance of substantial justice. Therefore, no interference is called for in the order passed by the learned Single Judge."

The special appeals are accordingly dismissed.

[BHANWAROO KHAN], J. [RAJESH BALIA], J.

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D.B. CIVIL SPECIAL APPEAL NO.DR(J)116/2001

Date : 27.4.2007

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE BHANWAROO KHAN

Mr. I.R. Choudhary for the appellant.
Mr. Mukesh Rajpurohit for the respondents.

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Having heard learned counsel for the parties we are satisfied that the appellants were prevented by sufficient cause from filing the appeal within limitation. The application under Section 5 of the Limitation Act is allowed. The delay in filing the appeal is condoned.

The appeal is dismissed. (See separate judgment in SAW No.194/2002).

[BHANWAROO KHAN], J. [RAJESH BALIA], J.

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